HON'BLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION No.2113 OF 2006

DATED: 31-03-2006

Between:

L.Venkata Rao and another . . .Petitioners

And

The Govt. of A.P. and others . . .Respondents

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION No.2113 OF 2006

O R D E R:

Once the election process has already commenced, normally, this Court does not entertain any writ petition on the ground that there is an illegality in preparation of electoral roll, as held by the Apex Court in **SHRI SANT SADGURU JANARDAN SWAMI v. STATE OF MAHARASHTRA**[1] and the proper remedy for the persons, who challenge the elections, is that they have to wait till the elections are completed and file a petition questioning the elections for the alleged irregularity as held by the Full Bench, of which I am a Member, of this Court in **K.RAMAKRISHNA v. STATE ELECTION COMMISSION, HYDERABAD**[2].

Further, this Court while issuing notice before admission, stayed the elections to be held on 07-02-2006.

The learned counsel for the petitioners as well as the learned Government Pleader requested this Court to dispose of the writ petition in the light of the directions issued by this Court in **WP.No.1603 of 2006 and batch, dated 03-02-2006,** whereunder it is held as follows:

> "As directed by the Government in their orders in G.O.Rt.No.42, dated 05-01-2006, (in relation to WUAs of Mudivarthi Bit-1 and Vidavalur, Nellore District) and G.O.Rt.No.46, dated 06-01-2006 (in relation to WUAs Jannaram, Vallabhi and Mudigonda, Khammam District), the District Election Authorities i.e., the District Collector, Nellore and District Collector, Khammam, shall first get all the voters lists verified through the Officers of Irrigation Department not below the rank of Assistant Executive Engineer, publish voters lists as required under Rule 9(6) of the Delineation Rules and conduct elections ten days thereafter. If any person is aggrieved by additions or deletions in the voters lists published as per Rule 9(6) of the Delineation Rules, such persons

may approach the District Collector by way of appeal under Rule 10 of the Delineation Rules as amended by G.O.Ms.No.7, dated 17-01-2005, for appropriate redressal. Needless to add that after voters lists are prepared as directed hereinabove, the District Election Authorities shall conduct elections. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order."

Following the same, this writ petition is accordingly disposed of. There shall be no order as to costs.

_____

(A.GOPAL REDDY, J)

31st MARCH, 2006.

kvni

---

[1] (2001)8 SCC 509

[2] 2004(6) ALD 587 (DB)